

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

**Dan A Preston, Joseph Preston,
Robert Leyendecker, Wayne Eatherly,
and Rod L. Proctor**

Group Art Unit: 2663

Application No. 10/092,661

Filed: March 6, 2002

For: **IMPROVED IN-BAND SIGNALING FOR
DATA COMMUNICATIONS OVER DIGITAL
WIRELESS TELECOMMUNICATIONS NETWORKS**

I HEREBY CERTIFY THAT THIS CORRESPONDENCE
IS BEING DEPOSITED WITH THE UNITED STATES
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ON: 8/30/02

Connie English
Date
Signature
Connie English
Typed Name

Date: August 30, 2002

INFORMATION DISCLOSURE STATEMENT

TO THE COMMISSIONER FOR PATENTS:

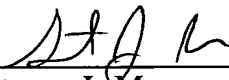
1. Pursuant to their duty of disclosure, applicants present for the Examiner's consideration the documents listed on the accompanying Form PTO-1449.
 - ☐ Copies of the documents are enclosed.
 - ☒ Copies of documents are not enclosed because (1) they are already of record in U.S. Pat. Application No. 09/531,367, filed March 21, 2000, on which this application relies for an earlier filing date under 35 U.S.C. § 120, and (2) any information disclosure statement filed in the prosecution of U.S. Pat. Application No. 09/531,367, complies with 37 C.F.R. §§ 1.98(a) and (c). (37 C.F.R. § 1.98(d).)
2. ☐ Applicant(s) draw(s) the Examiner's attention to the enclosed copy of copending U.S. Pat. Application No. _____, filed _____, for _____, which is cited in this application.
3. This information disclosure statement is being submitted:
 - a. ☒ Within three months of the filing date of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office action on the merits; or before the mailing of a first Office action after the filing of a request for continued examination under 37 CFR 1.114. (No statement under 37 CFR 1.97(e) is required.)
 - b. ☐ After the period set forth in paragraph 1a, but before the mailing date of either a final action, a notice of allowance, or an action that otherwise closes prosecution in the application. (Check box i. or ii.)

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- i. ☐ A \$180.00 information disclosure statement submission fee set forth in 37 CFR 1.17(p) is enclosed.
 - ii. ☐ A statement specified by 37 CFR 1.97(e) is set forth below.
 - c. ☐ After the mailing date of a final action or notice of allowance and on or before payment of an issue fee. A statement specified by 37 CFR 1.97(e) is set forth below. Enclosed is a \$180.00 information disclosure statement processing fee set forth in 37 CFR 1.17(p).
4. ☐ The attorney or agent signing below hereby states that:
- ☐ each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or
 - ☐ no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement.
5. ☐ Applicants set forth below concise explanations of the relevance of each document not in the English language and/or selected documents in the English language.

Respectfully submitted,

AIRBIQUITY INC.

By 
Steven J. Munson
Registration No. 47,212

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Attorney Docket No.44375/4:10

FORM PTO-1449
(REV. 7-80)U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.
44375/4:10APPLICATION NO.
10/092,661

INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

APPLICANTS: Dan A. Preston et al.

FILING DATE
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2663

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER							DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	5	0	4	3	7	3	6	8/1991	Darnell et al.	342	357	
	AB	5	2	0	1	0	7	1	4/1993	Webb	455	101	
	AC	5	2	3	5	6	3	3	8/1993	Dennison et al.	379	60	
	AD	5	3	6	5	4	5	0	11/1994	Schuchman et al.	364	449	
	AE	5	3	8	8	1	4	7	2/1995	Grimes	379	59	
	AF	5	4	2	2	8	1	6	6/1995	Sprague et al.	364	449	
	AG	5	4	7	9	4	8	0	12/1995	Scott			
	AH	5	4	8	3	5	4	9	1/1996	Weinberg et al.	375	200	
	AI	5	5	1	9	4	0	3	5/1996	Bickley et al.	342	352	
	AJ	5	5	3	9	8	1	0	7/1996	Kennedy, III et al.	379	59	
	AK	5	5	4	6	4	4	5	8/1996	Dennison et al.	379	60	

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	AL	WO 89/12835	12/1989	WIPO	G01S	5/02		
	AM	0512789A2	5/1992	European Patent Office	G01S	5/14		
	AN	0545783	9.6.93	European Patent Office	H04L	27/32		
	AO	WO 96/18275	6/1996	WIPO	H04Q	7/32		
	AP	WO 98/53573	11/1998	WIPO	H04L			

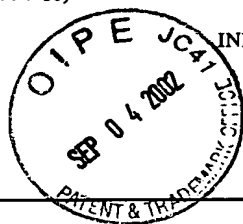
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	PCT International Search Report dated 27.11.00 for International Application No. PCT/US00/13288.
	AS	Mueller, A.J., et al., "A DSP Implemented Dual 9600/7200 BPS TCM Modem for Mobile Communications Over FM Voice Radios," Proceedings of the 1997 6 th IEEE Pacific Rim Conference on Communications, Computers and Signal Processing, Vol. 2, 20-22, August 1997, pages 758-761, IEEE, New York, New York.

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DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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	AA	5	5	5	5	2	8	6	9/1996	Tendler	379	59	
	AB	5	5	7	2	2	0	4	11/1996	Timm et al.	340	988	
	AC	5	5	8	7	7	1	5	12/1996	Lewis	342	357	
	AD	5	6	3	0	2	0	6	5/1997	Urban et al.	455	54.1	
	AE	5	6	8	6	9	1	0	11/1997	Timm et al.	340	988	
	AF	5	6	8	7	2	1	5	11/1997	Timm et al.	379	58	
	AG	5	7	1	2	8	9	9	1/1998	Pace, II	379	58	
	AH	5	7	2	6	8	9	3	3/1998	Schuchman et al.	364	449.7	
	AI	5	7	2	6	9	8	4	3/1998	Kubler et al.	370	349	
	AJ	5	7	8	6	7	8	9	7/1998	Janky			
	AK	5	8	1	2	0	8	7	9/1998	Krasner	342	357	

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FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER							DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
													YES	NO
	AL	WO 99/49677							30.9.99	WIPO	H04Q	7/22		
	AM	WO 00/11893							2.3.00	WIPO	H04Q	7/00		
	AN													
	AO													
	AP													

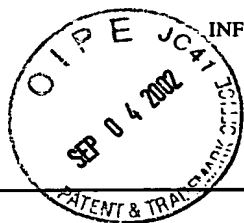
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	Coleman, A., <i>et al.</i> , "Subjective Performance Evaluation of the RPE-LTP Coded for the Pan-European Cellular Digital Mobile Radio System," Globecom '89, IEEE Global Telecommunications Conference and Exhibition, Vol. 2, 27-30, November 1989, pages 1075-1079, <i>IEEE</i> , New York, New York.											
	AS	Lin, D., <i>et al.</i> , "Data Compression of Voiceband Modem Signals," 40 th IEEE Vehicular Technology Conference: One the Move in the 90's. 6-9 May 1990, pages 323-325, <i>IEEE</i> , New York, New York.											
	AT	PCT International Search Report dated 3 January 2002 for International Application No. PCT/US01/20021.											

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	AA	5	9	4	5	9	4	4	8/1999	Krasner	342	357.06	
	AB	5	9	4	6	6	1	1	8/1999	Dennison et al.	455	404	
	AC	6	0	0	2	3	6	3	12/1999	Krasner	342	357.1	
	AD	6	0	2	1	1	6	3	2/2000	Hoshi	375	272	
	AE	6	1	4	0	9	5	6	10/2000	Hillman et al.	342	357.07	
	AF	6	2	2	6	5	2	9	5/2001	Bruno et al.	455	557	
	AG	R	E	3	5	9	1	6	10/1998	Dennison et al.	455	456	
	AH												
	AI												
	AJ												
	AK												

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